

NORTHERN TERRITORY OF AUSTRALIA  
MUD CRAB FISHERY MANAGEMENT PLAN

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Regulations No. 12 of 2006

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# NORTHERN TERRITORY OF AUSTRALIA

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Regulations No. 12 of 2006

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## *Mud Crab Fishery Management Plan*

I, KONSTANTINE VATSKALIS, the Minister for Primary Industry and Fisheries, in pursuance of section 25 of the *Fisheries Act*, approve the *Mud Crab Fishery Management Plan*.

Dated 19 April 2006.

K. VATSKALIS  
Minister for Primary Industry and Fisheries

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\* Notified in the *Northern Territory Government Gazette* on 26 April 2006.

## **PART 1 – PRELIMINARY MATTERS**

### **1. Citation**

This Plan may be cited as the *Mud Crab Fishery Management Plan*.

### **2. Commencement**

This Plan comes into operation on 1 May 2006.

### **3. Application of Plan**

This Plan applies to the mud crab fishery declared under section 22 of the Act to be a managed fishery by notice published in *Gazette* G12 dated 28 March 1990 at page 3.

### **4. Objects of Plan**

The objects of this Plan are:

- (a) to manage the fishery resource, in accordance with the principles of ecologically sustainable development, to ensure the promotion of appropriate protection of:
  - (i) the resource and its habitats; and
  - (ii) by-product species and by-catch species; and
- (b) to maintain a stewardship of the fishery resource that promotes fairness, equity and access to the resource by all stakeholder groups, including:
  - (i) indigenous people; and
  - (ii) commercial operators; and
  - (iii) amateur fishers; and
  - (iv) others with an interest in the fishery resource of the Territory; and
- (c) to promote the optimum utilisation of the resource to the benefit of the community by a flexible approach to the management of the fishery resource and its habitats.

**5. Review of management of fishery**

- (1) The Director must review the management of the fishery if:
  - (a) the total amount of mud crabs taken by licensees, or a stakeholder group, in a previous year decreases by at least 50%; or
  - (b) the total amount of mud crabs taken by licensees, or a stakeholder group, in 2 consecutive years decreases by at least 10% each year; or
  - (c) the total effort by licensees in 2 consecutive years increases by at least 10% each year; or
  - (d) the median size of mud crabs taken by all fishers in 2 consecutive years decreases by at least 5 mm each year; or
  - (e) the total amount of by-product species taken by licensees in consecutive years increases by at least 0.5 t; or
  - (f) the total amount of by-catch species taken by licensees:
    - (i) in a year increases by at least 50%; or
    - (ii) in any 3 years increases by at least 100%; or
  - (g) licensees, or officers or employees of Agencies and statutory authorities, identify a significant effect of the fishery on an ecosystem component, particularly a species or community listed under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
- (2) In conducting the review, the Minister must consult with stakeholder groups.

**PART 2 – INTERPRETATION**

**6. Definitions**

In this Plan, unless the contrary intention appears:

"AGD 1966" means the Australian Geodetic Datum as defined in the *Commonwealth Gazette* No. 84 of 6 October 1966;

"approval" means an approval as a temporary transferee, nominated person or short term operator;

"approved person" means the holder of an approval;

## *Mud Crab Fishery Management Plan*

"berried female mud crab" means a female mud crab on which eggs are visibly attached to the pleopods under the abdominal flap;

"by-catch species" means a species of aquatic life taken but discarded by a licensee conducting operations for the purposes of a licence;

"by-product species" means a non-target species of aquatic life taken and retained by a licensee conducting operations for the purposes of a licence;

"carapace", of a mud crab, means the large non-segmented piece of the hard external shell covering the dorsal and lateral parts of the crab;

"closed waters" means the waters landward of a straight line connecting the coordinates stated in Schedule 1 for the waters stated in the Schedule;

"commercially unsuitable", for a mud crab, means:

- (a) for a female mud crab – the carapace at both points shown in Schedule 2 are flexible enough to move inwards and make an audible sound when pressed; or
- (b) for a male mud crab – both points shown in Schedule 2 can be pressed inwards;

"complying commercial holding cage" has the meaning in clause 7;

"complying float" for:

- (a) a complying commercial holding cage – has the meaning in clause 9; or
- (b) a complying pot – has the meaning in clause 10;

"complying pot" has the meaning in clause 8;

"day" means a 24 hour period starting at midnight;

"finger type obstructions", for a pot, means metal or rigid material that protrudes into the internal area of the funnel of the pot;

"funnel", of a pot, means the opening and adjoined internal flute of the pot that allows mud crabs to enter the pot;

"holding cage" means a cage used, or designed for use, only to hold mud crabs on a temporary basis;

"licence" means a Mud Crab Fishery licence;

## *Mud Crab Fishery Management Plan*

"licensee" means the holder of a licence, and includes a person assisting a licensee to conduct operations for the purposes of the licence;

"map" has the meaning in clause 11;

"Mary River Fish Management Zone" means the area described in Schedule 3;

"mud crab" means a crab, or part of a crab, of the genus *Scylla* and includes, in relation to a mud crab:

- (a) an egg or larva; and
- (b) a dead body; and
- (c) a shell;

"nominated place", for a licensee, means the place nominated under clause 15 as the licensee's nominated place;

"pot" means a dilly pot, crab pot or other device designed to act as a trap or that may act as a trap for mud crabs;

"prescribed offence" means an offence against:

- (a) clause 21(1) or (2); or
- (b) clause 26; or
- (c) clause 31(2) involving the use of a gill net;

"prohibited area", for a restricted bait net, means the area stated in Schedule 4;

"year" means a period of 12 months starting at the beginning of any day of a calendar year.

### **7. Complying commercial holding cage**

A complying commercial holding cage is a holding cage that:

- (a) is constructed in a way that is not likely to cause aquatic life to become entangled in it; and
- (b) has a minimum internal capacity of 1 m<sup>3</sup> and a maximum internal capacity of 2 m<sup>3</sup>; and
- (c) has a minimum mesh size of 65 mm x 45 mm; and
- (d) has at least one complying float attached to it; and

- (e) is constructed in a way that the complying float is above water level at all times of the tide when the cage is in use.

**8. Complying pot**

A complying pot is a pot that:

- (a) has a capacity of 0.5 m<sup>3</sup> or less; and
- (b) is 1 m or less in length, height or diameter; and
- (c) has not more than 2 openings into any enclosure (excluding any opening for emptying mud crabs from it or for placing bait in it); and
- (d) has at least one complying float attached to it; and
- (e) is constructed in a way that the complying float is above water level at all times of the tide when the pot is in use; and
- (f) does not have finger type obstructions in its funnel; and
- (g) is not constructed in a way that is likely to cause aquatic life to become entangled in it; and
- (h) for a pot used by a licensee conducting operations for the purposes of a licence – has a minimum mesh size of 65 mm x 45 mm.

**9. Complying float for complying commercial holding cage**

(1) A complying float for a complying commercial holding cage is a float that:

- (a) has a minimum diameter and length of 130 mm; and
- (b) is orange in colour; and
- (c) is marked legibly and indelibly with the licence number under which it is used in Arabic numerals and no other number.

(2) Without limiting subclause (1)(c), a float may be marked by:

- (a) incising the number into it; or
- (b) painting the number onto it with waterproof paint.

(3) The marking must be made in a way that the licence number can be easily read at all times.

**10. Complying float for complying pot**

- (1) A complying float for a complying pot is a float that:
  - (a) has a minimum diameter and length of 80 mm; and
  - (b) is marked legibly and indelibly:
    - (i) if the pot to which it is attached is used under a licence – with the licence number in Arabic numerals and no other number; or
    - (ii) if the pot to which it is attached is amateur fishing gear – with the full name of the person using the gear.
- (2) Without limiting subclause (1)(b), a float may be marked by:
  - (a) incising the number or name into it; or
  - (b) painting the number or name onto it with waterproof paint.
- (3) The marking must be made in a way that the number or name can be easily read at all times.

**11. Maps**

A map mentioned in this Plan is a map that is part of the National Topographic Map Series Australia 1:100 000, AGD 1966.

**PART 3 – GENERAL CONTROLS**

**12. No fishing in non-tidal waters**

A person must not fish for mud crabs in waters that are not subject to tidal influence.

Penalty: \$10 000.

**13. No taking or possession of berried female mud crab**

(1) A person must not take or have possession of a berried female mud crab.

Penalty: \$5 000.

(2) For subclause (1), a person must not be regarded as having taken a mud crab if, immediately after its capture, the person returns it to the place from which it was captured with as little injury to it as possible.

## **PART 4 – COMMERCIAL FISHING**

### ***Division 1 – Licensing and nominated places***

#### **14. Number of licences**

(1) The Director must not issue more than 49 licences.

(2) However, if a licence is cancelled or not renewed, the number of licences the Director may issue is reduced by one.

#### **15. Nominated place**

(1) The holder of a licence must nominate one place as the licensee's nominated place for this Plan.

(2) The nomination must be made to the Director in the form approved by the Director.

(3) The holder of the licence must not nominate a vessel, or a part of a vessel, that is used to fish for mud crabs as a nominated place.

(4) In this clause:

"licensee" means the holder of a licence.

### ***Division 2 – Controls on commercial fishing***

#### ***Subdivision 1 – Application of Division***

#### **16. Division applies to licensees**

This Division applies to a licensee conducting operations for the purposes of a licence.

#### ***Subdivision 2 – Control relating to closed waters***

#### **17. No fishing in closed waters**

A licensee must not fish in closed waters.

Penalty: \$10 000.

#### ***Subdivision 3 – Controls relating to taking, possession and processing of mud crabs***

#### **18. Mud crab less than minimum size not to be taken**

A licensee must not take or have possession of a mud crab that is less than:

(a) for a female – 150 mm across the widest part of its carapace; or

- (b) for a male – 140 mm across the widest part of its carapace;

Penalty: \$5 000.

**19. Commercially unsuitable mud crab not to be taken**

A licensee must not take or have possession of a mud crab that is commercially unsuitable.

Penalty: \$5 000.

**20. When licensee deemed not to have taken or have possession of mud crab**

For clauses 18 and 19, a licensee must not be regarded as having taken or had possession of a mud crab if the licensee returns it to the place from which it was captured with as little injury to it as possible:

- (a) if the crab is captured in the last pot lifted by the licensee – within 100 m of the place from where the pot is lifted; or
- (b) if paragraph (a) does not apply – before the licensee lifts the next pot.

**21. Mud crab to be restrained**

(1) A licensee must, as soon as practicable after taking a mud crab, restrain the crab so that its chelipeds (limbs with claws or chela) are firmly restrained against its body and minimal movement of the cheliped between the carpus and merus (elbow joint) is possible.

Penalty: \$5 000.

(2) A licensee must not hold a mud crab in a holding cage or keep it at the licensee's nominated place unless it is restrained in the way mentioned in subclause (1).

Penalty: \$5 000.

**22. Mud crab to be left intact**

A licensee must ensure the carapace and abdomen of a mud crab taken by the licensee remain intact:

- (a) while it is held in a holding cage of the licensee or kept at the licensee's nominated place; or

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- (b) until it is sold by the licensee.

Penalty: \$5 000.

### **23. Processing mud crab**

- (1) A licensee must not process a mud crab for sale other than by cooking, freezing or chilling.

Penalty: \$5 000.

- (2) Subclause (1) does not apply to the processing of a mud crab on the premises of a person licensed to buy and sell fish.

### ***Subdivision 4 – Controls relating to use of vessels and fishing gear***

### **24. Limit on use of vessels**

- (1) A licensee must not use more than one vessel to catch, take or harvest mud crabs.

Penalty: \$10 000.

- (2) However, subclause (1) does not apply to a licensee's use of a vessel:

- (a) in accordance with an approval given under subclause (3); or
  - (b) at the licensee's nominated place.

- (3) On written application, the Director may give approval to a licensee to use more than one vessel to catch, take or harvest mud crabs.

- (4) The approval must be in writing and may be given on the conditions the Director considers appropriate.

- (5) For the definition of "prescribed decision" in section 4 of the Act, the Director's decision on an application under subclause (3) is a prescribed provision.

- (6) The licensee must keep the approval, or a copy of it, on the vessel.

Penalty for an offence against subclause (6): \$5 000.

### **25. Prohibition on use of fishing gear – fishing for mud crabs**

A licensee must not use fishing gear for fishing for mud crabs other than:

- (a) a complying pot to take a mud crab; or

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- (b) a complying commercial holding cage to hold a mud crab.

Penalty: \$5 000.

### **26. Limit on number of pots in use**

A licensee must not use more than 60 pots to fish for mud crabs.

Penalty: For a first offence:

- (a) use of 61 to 70 pots – \$5 000; or
- (b) use of 71 or more pots – \$10 000 and, in addition, \$500 for each pot in excess of 70.

For a second offence:

- (a) use of 61 to 70 pots – \$5 000; or
- (b) use of 71 or more pots – \$20 000 and, in addition, \$500 for each pot in excess of 70.

### **27. Abandoning pot in water**

- (1) A licensee must not abandon a pot in water.

Penalty: \$5 000.

(2) For subclause (1), a licensee is taken to have abandoned a pot if the licensee leaves the pot in water unattended for more than 24 hours.

- (3) However, subclause (1) does not apply if:

- (a) before the end of the 24 hours, the licensee informs the Director:
  - (i) the licensee is unable to remove the pot from the water; and
  - (ii) the reasons why the licensee is unable to remove the pot from the water; and
  - (iii) details of the location of the pot; and
  - (iv) when the licensee will remove the pot from the water; and
- (b) the Director gives instructions to the licensee about the removal of the pot; and
- (c) the licensee complies with the instructions.

**28. Limit on number of pots in possession**

(1) A licensee must not have possession of more than 60 pots while fishing for mud crabs.

Penalty: \$5 000.

(2) However, a licensee does not commit an offence against subclause (1) merely because the licensee has, together with pots used for fishing for mud crabs, possession of:

- (a) more than 60 pots at the licensee's permanent residence; or
- (b) more than 60 pots but not more than 85 pots at the licensee's nominated place; or
- (c) more than 60 pots but not more than 85 pots in transit, by the most practicable direct route, between the licensee's permanent residence and the licensee's nominated place.

**29. Use of complying commercial holding cages**

(1) This clause prescribes requirements for a licensee's use of a complying commercial holding cage.

(2) The licensee must keep the holding cage:

- (a) in water within 200 m of the licensee's nominated place; and
- (b) in a place that does not pose a hazard to vessels navigating the water.

Penalty: \$2 000.

(3) The licensee must not keep a mud crab in the holding cage for more than 7 days.

Penalty: \$2 000.

(4) The licensee must not feed a mud crab in the holding cage.

Penalty: \$2 000.

**30. Limit on possession of complying commercial holding cages**

A licensee must not have possession of complying commercial holding cages that have a total internal capacity of more than 4 m<sup>3</sup>.

Penalty: \$2 000.

**31. Prohibition on use of fishing gear – fishing for bait**

(1) A licensee may only use the following fishing gear to take fish for use by the licensee as bait for fishing for mud crabs:

- (a) a restricted bait net;
- (b) a cast net;
- (c) a scoop net;
- (d) a hook and line.

(2) A licensee who contravenes subclause (1) commits an offence.

Penalty: \$5 000.

**32. Certain fish not to be taken**

A licensee must not use fishing gear mentioned in clause 31(1) to take any of the following:

- (a) barramundi (*Lates calcarifer*);
- (b) black jewfish (*Protonibea diacanthus*);
- (c) golden snapper (*Lutjanus johnii*);
- (d) Spanish mackerel (*Scomberomorus commerson*);
- (e) king threadfin (*Polydactylus macrochir*).

Penalty: \$5 000.

**33. Use of restricted bait net**

(1) This clause prescribes requirements for a licensee's use of a restricted bait net.

(2) The licensee must not use the restricted bait net other than in the area extending seaward from the coast from the high water mark to a line following the coastline 3 nautical miles from the low water mark.

Penalty: \$5 000.

(3) Despite subclause (2), the licensee must not use the restricted bait net in:

- (a) the part of the Mary River Fish Management Zone in the area mentioned in subclause (2); or

- (b) the prohibited area for a restricted bait net.

Penalty: \$5 000.

- (4) The licensee must not use the restricted bait net unless:
  - (a) it is not fixed, anchored or staked or it is fixed, anchored or staked at one end only and the other end is hauled by hand or a vessel:
    - (i) to which it is attached; and
    - (ii) that is not anchored or fixed; and
  - (b) it is in not less than 30 cm of water when a catch is being cleared; and
  - (c) it is not left unattended while in use.

Penalty: \$5 000.

**34. Prohibition of possession of restricted bait net in certain area**

- (1) A licensee must not have possession of a restricted bait net in the prohibited area for a restricted bait net.

Penalty: \$5 000.

- (2) However, subclause (1) does not apply to a licensee's possession of a restricted bait net:

- (a) in accordance with an approval given under subclause (3); or
  - (b) on a road between Borroloola and Bing Bong.

- (3) On written application, the Director may give approval to a licensee to have possession of a restricted bait net in the prohibited area.

- (4) The approval must be in writing and may be given on the conditions the Director considers appropriate.

- (5) For the definition of "prescribed decision" in section 4 of the Act, the Director's decision on an application under subclause (3) is a prescribed provision.

- (6) The licensee must keep the approval, or a copy of it, in the proximity of the restricted bait net while in the prohibited area.

Penalty for an offence against subclause (6): \$5 000.

***Division 3 – Revocation and refusal of approvals***

**35. Application of Division**

This Division applies if an approved person:

- (a) is found guilty of a prescribed offence against this Plan (the "first offence"); and
- (b) is, within 2 years after the finding of guilt on the first offence, again found guilty of a prescribed offence against this Plan (whether or not of the same type of offence as the first offence).

**36. Director to revoke or refuse approval**

(1) The Director must, by written notice, revoke the approved person's approval.

(2) In addition, the Director must not, in the 2 years after the person's commission of the later offence, approve the person engaging in a fishery as a temporary transferee, nominated person or short term operator.

**PART 5 – AMATEUR FISHING**

**37. Part applies to amateur fishers**

This Part applies to a person carrying out amateur fishing.

**38. Mud crabs less than minimum size not to be taken**

(1) A person must not take or have possession of a mud crab that is less than:

- (a) for a female – 140 mm across the widest part of its carapace; or
- (b) for a male – 130 mm across the widest part of its carapace.

Penalty: \$5 000.

(2) For subclause (1), a person is deemed not to have taken or have possession of a mud crab if, as soon as practicable after its capture and the end of the time that is reasonably necessary to enable it to be measured, the person returns it to the place from which it was captured with as little injury to it as possible.

**39. Limit on number of mud crabs taken in a day**

A person must not fish for mud crabs on any one day if the person has previously taken 10 mud crabs on that day.

Penalty: \$5 000.

**40. Limit on number of mud crabs in possession**

(1) Subject to subclause (3), a person must not have possession of more than 10 mud crabs other than at the person's permanent residence.

Penalty: For possession of 11 to 20 crabs – \$5 000 and, in addition, \$50 for each crab in excess of 10.

For possession of 21 or more crabs – \$10 000 and, in addition, \$50 for each crab in excess of 20.

(2) In determining the number of mud crabs in a person's possession for subclause (1), a mud crab lawfully acquired from a licensee and for which the person has a receipt or other proof of acquisition must be disregarded.

(3) A person who has possession of more than 10 mud crabs does not commit an offence against subclause (1) if the person:

- (a) establishes he or she is a member of a fishing party; and
- (b) no member of the party would be in contravention of subclause (1) if the mud crabs were apportioned as equally as possible among the members of the party who are present or able to be assembled in a short period of time.
- (4) If:
  - (a) the members of a fishing party have possession of more than 10 mud crabs; and
  - (b) each person who is a member of the party would have possession of more than 10 mud crabs in contravention of subclause (1) if the mud crabs in their possession were apportioned as equally as possible among the members of the party; and
  - (c) it is not readily ascertainable which person has possession of the crabs,

each of the persons is, for subclause (1), taken to have possession of all the mud crabs.

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- (5) If:
  - (a) there are more than 3 persons in or on a vessel; and
  - (b) there are more than 30 mud crabs in or on the vessel,

each of the persons is, for subclause (1), taken to have possession of all the mud crabs.

(6) In determining the number of mud crabs in or on a vessel for subclause (5)(b), a mud crab lawfully acquired from a licensee and for which a person on the vessel has a receipt or other proof of acquisition must be disregarded.

- (7) In this clause:

"licensee" means the holder of a Mud Crab Fishery licence, Fish Trader/Processor licence, Fish Retailer licence or Aquaculture licence.

### **41. Prohibition on use of fishing gear**

A person must not fish for mud crabs other than by hand or by using a complying pot, hand-spear, hand-held hook, hook and line, scoop-net, cast-net or amateur drag net.

Penalty: \$5 000.

### **42. Limit on number of pots in possession**

(1) Subject to subclause (2), a person must not have possession of more than 5 pots other than at the person's permanent residence.

Penalty: \$5 000.

- (2) A person does not commit an offence against subclause (1) if:
  - (a) the person has possession of not more than 10 pots and establishes he or she is a member of a fishing party the members of which are present or able to be assembled in a short period of time; or
  - (b) the person is in or on a vessel with at least one other person and there are not more than 10 pots in or on the vessel.
- (3) If:
  - (a) there are 2 or more persons in or on a vessel; and
  - (b) there are more than 10 pots in or on the vessel; and

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- (c) it is not readily ascertainable which person has possession of the pots,

each of the persons is, for subclause (1), taken to have possession of all the pots.

### **PART 6 – MISCELLANEOUS MATTERS**

#### **43. Review after 5 years**

- (1) The Minister must review the first 5 years of operation of this Plan.
- (2) In conducting the review, the Minister must consult with stakeholder groups.

### **PART 7 – REPEAL OF MANAGEMENT PLANS**

#### **44. Repeals**

The following management plans are repealed:

- (a) *Mud Crab Fishery Management Plan* made on 24 January 1991 and published in *Gazette* S5 on 31 January 1991;
  - (b) amendments of the *Mud Crab Fishery Management Plan* made on 2 April 1993 and notified in *Gazette* S35 on 5 April 1993;
  - (c) amendments of the *Mud Crab Fishery Management Plan* (No. 38 of 1995) made on 14 November 1995 and notified in *Gazette* G48 on 29 November 1995.
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**SCHEDULE 1**

Clause 6, definition of "closed waters"

**COORDINATES FOR CLOSED WATERS**

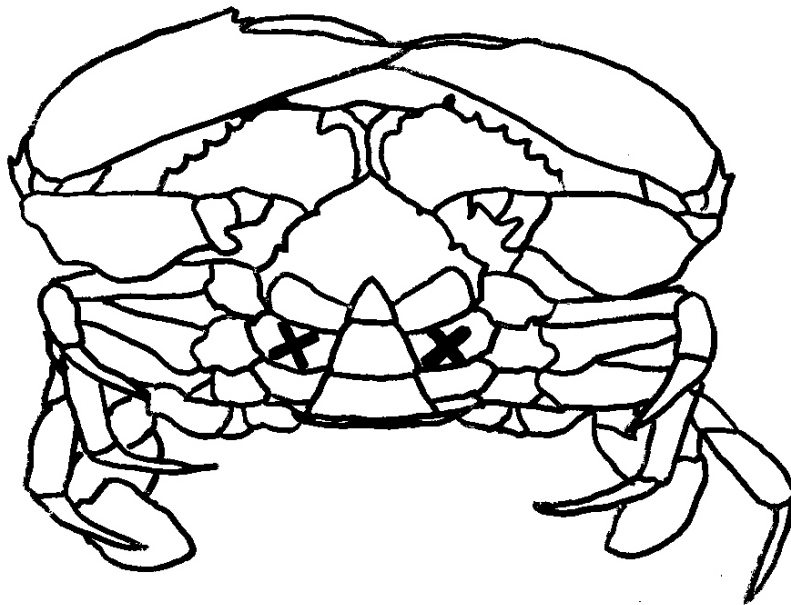
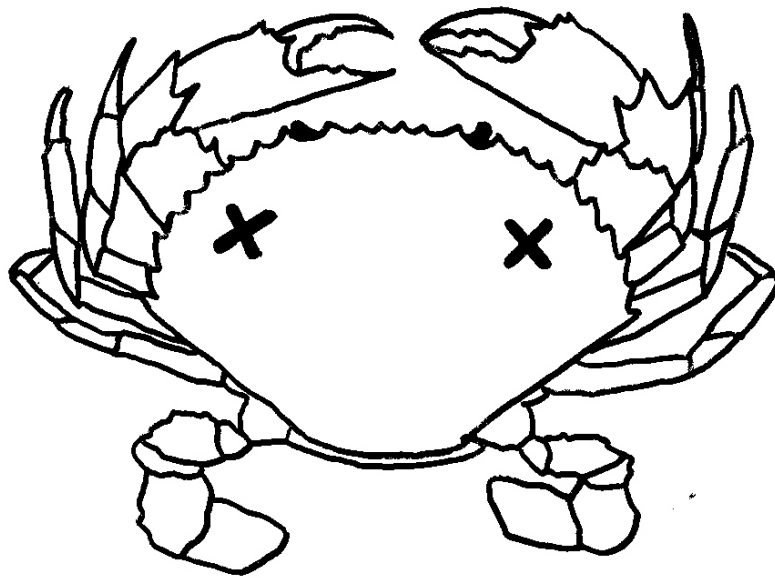
Buffalo Creek Coordinates:	Map Sheet:	Darwin 5073
7073 E                      86353 N                      to                      7077 E                      86351 N		
Micket Creek Coordinates:	Map Sheet:	Darwin 5073
7115 E                      86344 N                      to                      7119 E                      86342 N		
Port of Darwin Coordinates:	Map Sheet:	Darwin 5073
6919 E                      86236 N                      to                      7059 E                      86360 N		
South Alligator River Coordinates:	Map Sheet:	Field Island 5373
2116 E                      86498 N                      to                      2213 E                      86554 N		
West Alligator River Coordinates:	Map Sheet:	Field Island 5373
2032 E                      86468 N                      to                      2050 E                      86472 N		
Wildman River Coordinates:	Map Sheet:	Field Island 5373
1804 E                      86378 N                      to                      1811 E                      86384 N		
Howard River Coordinates:	Map Sheet:	Koolpinyah 5173
7208 E                      86324 N                      to                      7219 E                      86329 N		
King Creek Coordinates:	Map Sheet:	Koolpinyah 5173
7181 E                      86332 N                      to                      7183 E                      86330 N		
7190 E                      86325 N                      to                      7194 E                      86325 N		
Leaders Creek Coordinates:	Map Sheet:	Koolpinyah 5173
7301 E                      86527 N                      to                      7301 E                      86534 N		

**SCHEDULE 2**

Clause 6, definition of "commercially unsuitable"

**COMMERCIALY UNSUITABLE MUD CRABS**

Female in top figure and male in bottom figure



### **SCHEDULE 3**

Clause 6, definition of "Mary River Fish Management Zone"

#### **MARY RIVER FISH MANAGEMENT ZONE**

All that part of the Territory bounded by a line:

- (a) to the south by the northern boundary of the Arnhem Highway; and
- (b) to the east by the westernmost part of the Point Stuart Road commencing at its junction with the Arnhem Highway northwards to its junction with the road to the Old Point Stuart Homestead and then by the westernmost part of that road to the site of the Old Point Stuart Homestead at grid reference 8060 E 86324 N map 5273 Point Stuart and then by an imaginary line drawn due north from that reference point to the low water mark in Chambers Bay and then westerly along the low water mark to a point on the low water mark (that may be indicated by a marker), being a point 3 km east in a straight line from the northernmost part of the eastern bank of the mouth of Sampan Creek and then due north for 3 nautical miles; and
- (c) to the west by the right side of the formed road known as the Old Wildbore Station Road commencing at its junction with the Arnhem Highway at about grid reference 7725 E 85871 N map 5272 Mary River, then north to grid reference 7766 E 86047 N map 5272 Mary River, then east to grid reference 7813 E 86044 N map 5272 Mary River, then generally north to the road's end at grid reference 7858 E 86216 N map 5273 Point Stuart and then by an imaginary line drawn from that reference point due north to the low water mark in Chambers Bay and then easterly along the low water mark to a point on the low water mark (that may be indicated by a marker), being a point 3 km west in a straight line from the northernmost part of the western bank of the mouth of Tommycut Creek and then due north for 3 nautical miles; and
- (d) to the north by a line drawn between the seaward ends of the eastern and western boundaries mentioned in paragraphs (b) and (c) which runs along the shore and river mouths of Chambers Bay at low water,

and includes the Mary River upstream of the Mary River Bridge on the Arnhem Highway for approximately 6 km until the river braids at about grid reference 7916 E 86688 N map 5272 Mary River, and also includes the boat ramp immediately south of the bridge and the parking and camping areas adjacent to the boat ramp, but does not include any permanent residence or the buildings and grounds and immediately adjacent parking areas of the Annaburroo Roadhouse (also known as the Bark Hut Inn) on the Arnhem Highway and being that part of the Territory as shown edged in red on the map held in the head office of the Fisheries Group, Department of Primary Industry, Fisheries and Mines, Darwin.

**SCHEDULE 4**

Clause 6, definition of "prohibited area"

**PROHIBITED AREA FOR RESTRICTED BAIT NET**

All that part of the Territory bounded by a line:

- (a) commencing on the western side of Bing Bong Creek at grid reference 6410 E 82759 N (Sheet 6166 Edition 1 Bing Bong) then due north to a point 3 nautical miles past the straight baselines surrounding the Sir Edward Pellew Group then easterly and southerly parallel to the straight line baseline to within 3 nautical miles of the coast at low water mark then south-easterly along the coast 3 nautical miles from the low water mark to the border of the Territory with Queensland; and
- (b) from there to the east commencing at a point along the border of the Territory with Queensland 3 nautical miles from the low water mark then south to a point where the border intersects the northern side of the Carpentaria Highway near Wollogorang at grid reference 8191 E 80944 N (Sheet 6463 Edition 1 Wollogorang); and
- (c) from there to the south commencing at a point where the border intersects the northern side of the Carpentaria Highway at grid reference 8191 E 80944 N (Sheet 6463 Edition 1 Wollogorang) then in a north-westerly direction towards the township of Borroloola to the turn off from the Carpentaria Highway to Borroloola at grid reference 6394 E 82207 N (Sheet 6165 Edition 1 Borroloola); and
- (d) from there to the west in a north, north-westerly direction from grid reference 6394 E 82207 N (Sheet 6165 Edition 1 Borroloola) to the Blue Lagoon Yard at grid reference 6238 E 82498 N (Sheet 6166 Edition 1 Bing Bong) then northeast back to the point of commencement at the western side of Bing Bong Creek at grid reference 6410 E 82759 N (Sheet 6166 Edition 1 Bing Bong).

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